

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CIVIL MINUTES
GENERAL**

CASE NO.: CV-02-00035

DATE: October 07, 2011

CAPTION: USA vs. Guam Waterworks Authority

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Kim R. Walmsley

Court Recorder: Virginia T. Kilgore

Courtroom Deputy: Virginia T. Kilgore

Electronically Recorded: 9:11 - 10:57

CSO: L. Ogo

APPEARANCES:

Counsel for Plaintiff(s)

Counsel for Defendant(s)

Mikel Schwab

Samuel Taylor for GWA

Fatima Ty, U.S. EPA

Pat Mason for the Government of Guam

Robert Mullaney, U.S. EPA (via video)

Also Present: Martin Roush, GWA General Manager

Simon Sanchez II, CUC Chairman

John Benavente, CUC General Manager

PROCEEDINGS: GWA's Objections to the Magistrate Judge's July 7, 2011 Report and Recommendation

- Parties argued their positions .
- Court to issue order.

NOTES: Others Present: See attached sheet.

US ATTORNEYS Robert D. Mullaney, US DoJ (Via VTC) Gary Hess, Ast. Regional Counsel (EPA) (Via VTC) Mikel Schwab	GUAM WATERWORKS AUTHORITY Counsel Samuel J. Taylor
U.S. EPA Fatima Ty, Region IX Ken Greenburg, Region IX (Via VTC) Nancy Woo (Via VTC) Barry Pollock (Via VTC) Michael Lee (Via VTC)	GOVERNMENT OF GUAM Patrick Mason, Assistant Attorney General
GUAM WATERWORKS AUTHORITY John Benavente, GM-Consolidated Utility Service Martin Roush, General Manager, GWA Paul Kemp, Asst. GM, Safety & Compliance, GWA Gerald Fitzgibbon, GM, Veolia Water Guam Gilda Mafnas, GWA Heidi Ballendorf, GWA Greg Cruz, GWA	CONSOLIDATED COMMISSION ON UTILITIES Simon Sanchez II, Chairman Joseph T. Duenas, Treasurer
OTHERS PRESENT	GUAM ENVIRONMENTAL PROTECTION AGENCY Angel Marquez Maricar Quezon